

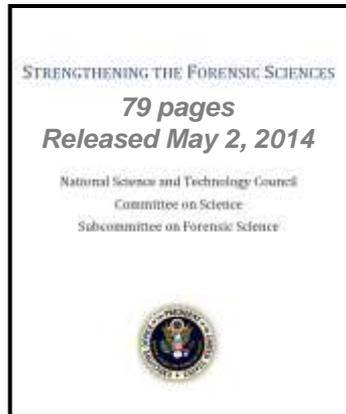
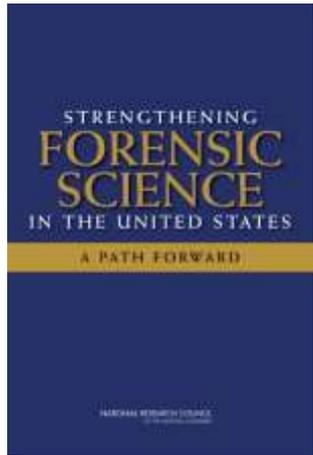
AAFS Criminalistics Luncheon Presentation (Orlando, FL) February 18, 2015

*Brief Update*  
on the  
**National Commission on Forensic Science**  
and the  
**Organization of Scientific Area Committees**

John M. Butler

*National Institute of Standards and Technology*

# NCFS and OSAC: U.S. Efforts to Strengthen Forensic Science



[http://www.whitehouse.gov/sites/default/files/microsites/ostp/NSTC/strengthening\\_the\\_forensic\\_sciences\\_may\\_-\\_2014.pdf](http://www.whitehouse.gov/sites/default/files/microsites/ostp/NSTC/strengthening_the_forensic_sciences_may_-_2014.pdf)

- National Academy of Sciences (**NAS**) **report** issued in Feb 2009
- White House **Subcommittee on Forensic Science** (SoFS) operated from July 2009 to Dec 2012

## **DOJ/NIST Partnership** (announced Feb 2013)

1. **NCFS** (National Commission on Forensic Science)
  - First meeting held February 3-4, 2014 in Washington DC
2. **OSAC** (Organization of Scientific Area Committees)
  - 542 members named; first public meetings held in Feb 2015

# Recent Roles of NIST in Federal Government Forensic Science Efforts

Conducted under Memorandum of Understanding (MOU) with DOJ

## 1. Co-lead the National Commission on Forensic Science

- Federal Advisory Committee to the Department of Justice (DOJ): NIST co-chair (Willie May) and NIST vice-chair (**John Butler**)
- **Focused on policy issues to improve forensic science**
- 31 Commissioners and 8 *ex-officio* members; four meetings held in 2014

## 2. Organization of Scientific Area Committees

- NIST-led community-based effort: **Mark Stolorow** and **John Paul Jones**
- **Focused on development of discipline-specific standards of practice**
- 542 subject matter experts selected to contribute to development of standards

## 3. Continuing forensic science research efforts at NIST

- **Previous support from the National Institute of Justice (NIJ) has now transitioned to direct Congressional funding to NIST**
- **Susan Ballou** is NIST program director for forensic science research
- NIST Forensic Science Center of Excellence (\$20M over 5 years) – announcement of winner to be made in March 2015

# Article Describing the Commission and OSAC

## The National Commission on Forensic Science and the Organization of Scientific Area Committees

John M. Butler

National Institute of Standards and Technology  
Gaithersburg, Maryland, USA

### Abstract

***18 pages of information***

In early 2014, the U.S. Department of Justice (DOJ) and the National Institute of Standards and Technology (NIST) launched the National Commission on Forensic Science (NCFS) and the Organization of Scientific Area Committees (OSAC) to aid efforts in strengthening forensic science in the United States. NCFS is a two-year renewable federal advisory committee to DOJ with a diverse set of stakeholder perspectives that provide views and policy recommendations to the Attorney General. The NIST-led OSAC effort is being established to provide leadership in developing discipline-specific standards of practice. Ultimately standards and guidelines that populate an OSAC registry will enable accreditation bodies to audit forensic science service providers to these discipline-specific forensic science standards of practice.

This article describes objectives and duties, membership, and first-year activities of the NCFS and the OSAC efforts. Slides presented on this topic October 1, 2014 at the 25<sup>th</sup> International Symposium on Human Identification (ISHI) are available at

<http://www.nist.gov/forensics/upload/JB-NCFS-and-OSAC-ISHI2014.pdf>.

<http://www.nist.gov/forensics/upload/Butler-ISHI-Proceedings2014.pdf>

# National Commission on Forensic Science (NCFS)

[www.justice.gov/ncfs](http://www.justice.gov/ncfs)

**Policy-focused**

**NCFS Leadership**

In 2013, the Department of Justice (DOJ) established the National Commission on Forensic Science, in partnership with the National Institute of Standards and Technology (NIST), to enhance the practice and improve the reliability of forensic science. This unique partnership draws upon each agency's core strengths to promote scientific validity, reduce fragmentation, and improve federal coordination of forensic science.

The Commission is co-chaired by Deputy Attorney General James M. Cole and NIST Acting Director and Acting Under Secretary of Commerce for Standards and Technology, Willie E. May. Nelson Santos, Deputy Assistant Administrator for the Office of Forensic Sciences at the Drug Enforcement Administration, and John M. Butler, Special Assistant to the NIST Director for forensic science, serve as vice-chairs. Brette Steele, Senior Advisor on Forensic Science and Senior Counsel to the Deputy Attorney General serves as the Designated Federal Officer and Robin Jones, Consultant within the Department of Justice, serves as Program Manager.

The Commission includes federal, state and local forensic science service providers; research scientists and academics; law enforcement officials; prosecutors, defense attorneys and judges; and other stakeholders from across the country.

**GENERAL INFORMATION**  
NATIONAL COMMISSION ON FORENSIC SCIENCE

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**By Phone:**  
(202) 305-0180

**31 voting and 8 *ex-officio* members**

**Last meeting (5<sup>th</sup>): January 29-30, 2015**

**Next meeting (6<sup>th</sup>): April 30-May 1, 2015**



**Sally Q. Yates**  
Acting  
Deputy Attorney General  
**DOJ Co-Chair**



**Willie E. May**  
Acting  
Director of NIST  
**NIST Co-Chair**



**Nelson A. Santos**  
Vice-Chair (DOJ)



**John M. Butler**  
Vice-Chair (NIST)

# Timeline for Commission Activities

- Announcement at AAFS 2013 meeting (February 21, 2013)
- Commission charter filed (April 23, 2013)
- Commission membership named (January 10, 2014)

## Meetings held so far (first-term of Commission):

- *First* meeting (February 3-4, 2014)
- *Second* meeting (May 12-13, 2014)
- *Third* meeting (August 26-27, 2014)
- *Fourth* meeting (October 28-29, 2014)
- *Fifth* meeting (January 29-30, 2015)

## Future meetings planned:

- *Sixth* meeting (April 30-May 1, 2015)
- *Seventh* meeting (August 10-11, 2015)
- *Eighth* meeting (December 7-8, 2015)
- *Ninth* meeting (March 21-22, 2016)
- *Tenth* meeting (June 20-21, 2016)

**Federal Advisory  
Committees exist on a  
2-year renewal cycle**

The existing  
Commission *charter*  
*expires April 23, 2015*

**DOJ plans to renew  
charter (and include  
digital evidence)**

# Current NCFS Subcommittees

<http://www.justice.gov/ncfs/subcommittees>

*where much of the Commission work occurs...*

NCFS Subcommittee	# Commissioners	# Non-Commissioners
1. <b>Accreditation &amp; Proficiency Testing</b>	7	15
2. <b>Human Factors &amp; Cognitive Bias</b>	5	13+1
3. <b>Interim Solutions</b>	12	2
4. <b>Medico-legal Death Investigation</b>	6	9
5. <b>Reporting &amp; Testimony</b>	13	8
6. <b>Scientific Inquiry &amp; Research</b>	12	3
7. <b>Training on Science &amp; Law</b>	8	6

*Most Commissioners are on multiple subcommittees*

**57 non-Commissioners** contributing to the process

***Subcommittee products are discussed and voted on by the full Commission prior to be recommended to the Attorney General***

# NCFS Meeting 5 Topics

January 29-30, 2015

- **Subcommittee Reports & Work Product Discussion**
  - **Four final work products discussed; three were approved**
- Update on Bureau of Justice Statistics law enforcement agency forensic unit survey plans (Speaker: Erica Smith)
- **Panel on** documentary standards
  - Speakers: Gordon Gillerman, Warren Merkel, Karen Reczek
- **Panel on** judicial training
  - Speakers: Katheryn Yetter, Judge Jeremy Fogel, Judge Mark Atkinson
- **Presentation on** accreditation and certification within the MDI community
  - Speaker: Steven Clark

# Final Documents Discussed and Voted on at Meeting 5 (January 30, 2015)

Through 30 day public review (and revisions made):

1. Universal Accreditation (policy) **65% in favor**; went back to subcommittee for minor revisions
2. Accreditation of Medical Examiner and Coroner Offices (policy) **100% in favor; approved**
3. Certification of Medicolegal Death Investigators (directive) **93% in favor; approved**
4. Scientific Literature in Support of Forensic Science and Practice (views) **100% in favor; approved**

*Awaiting notice of Attorney General acceptance of the approved documents*

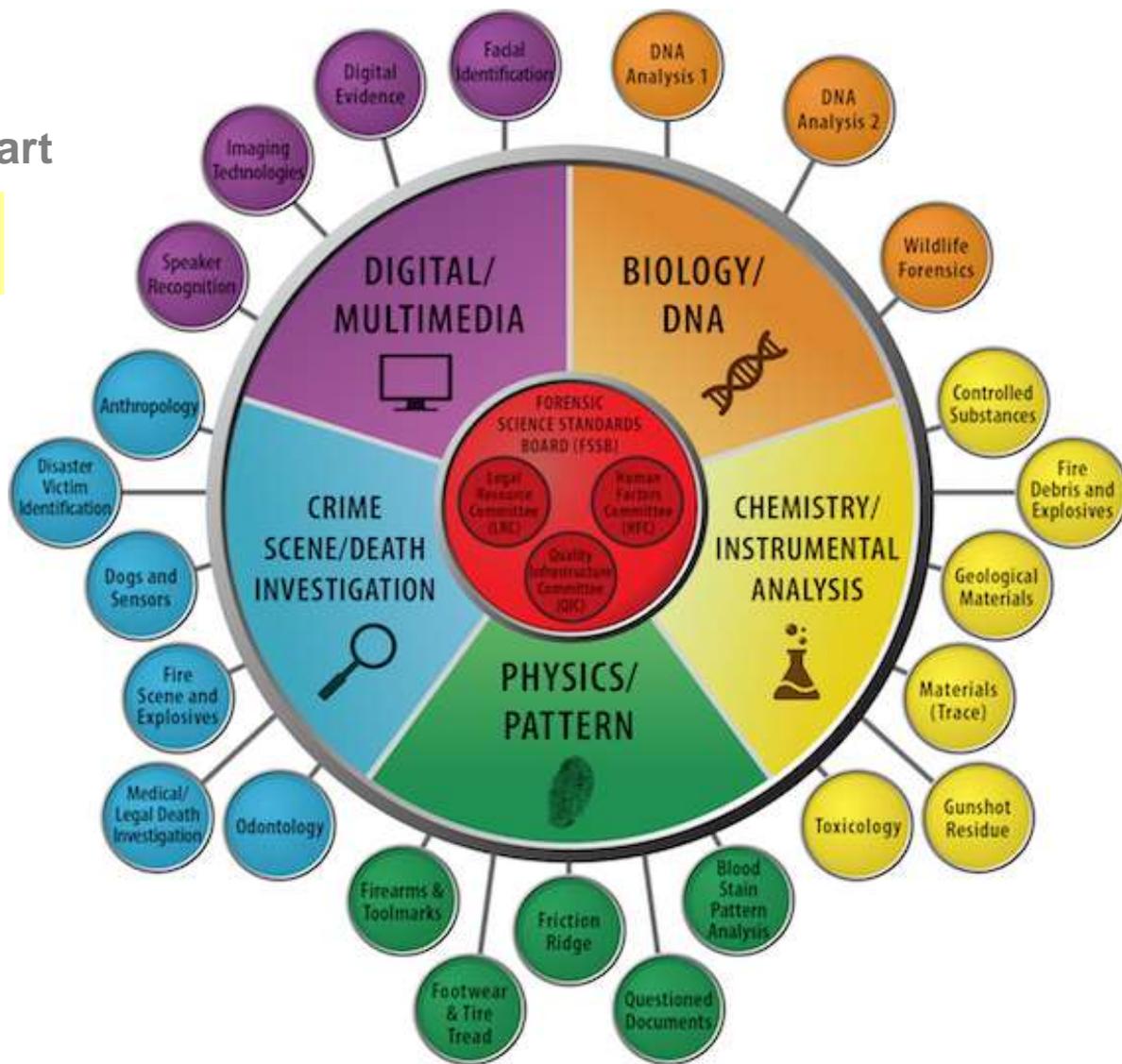
# Organization of Scientific Area Committees

## OSAC

Functional Organization Chart

***Practice-focused***

**542 members and >1000 affiliates** as subject matter experts participating in 24 subcommittees, 5 scientific areas, 3 resource committees (legal, quality, human factors), and 1 governing board (Forensic Science Standards Board)



<http://www.nist.gov/forensics/osac/index.cfm>

Initial membership  
finalized Dec 22, 2014

# Overview of Standards involved in the Forensic Science Enterprise

**ILAC-G19:08/2014**

Modules in a Forensic Science Process

**ISO/IEC 17024**

Certification  
Provider

**ISO/IEC 17043**

Proficiency Test  
Provider

**ISO/IEC 17011**

Accrediting Body

Forensic Testing Laboratory

Technical  
standard

**ISO/IEC 17025**

Supplemental  
material

DNA

Latents

Firearms

...

QAS

Police Agency

**ISO/IEC 17020**

Crime scene unit

M.E./Coroner

**ISO 15189**

Autopsy

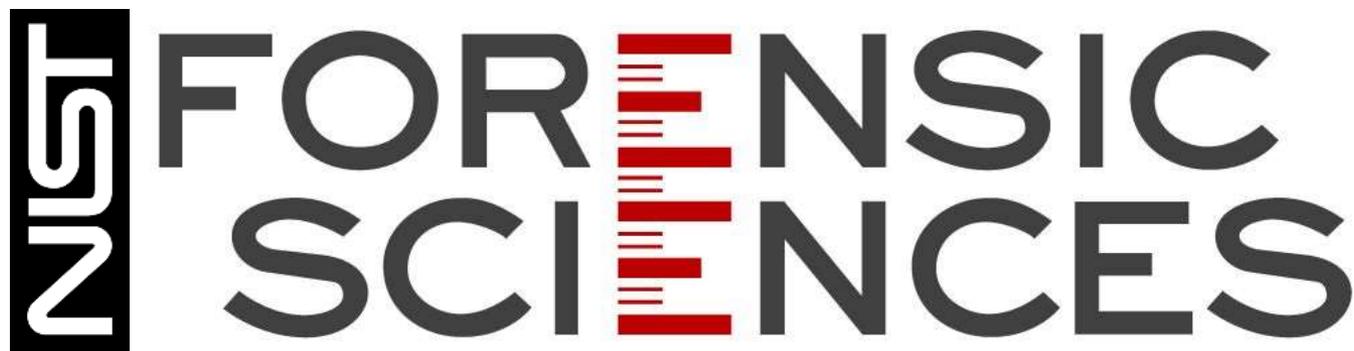
Virtopsy

OSAC work will help provide supplemental materials and new technical standards

*Accreditation to appropriate quality standards should provide confidence for all stakeholders in what is being done*

**National Commission on Forensic Science (NCFS):**  
[www.justice.gov/ncfs](http://www.justice.gov/ncfs)

**Organization of Scientific Area Committees (OSAC):**  
[www.nist.gov/forensics/osac/index.cfm](http://www.nist.gov/forensics/osac/index.cfm)



[www.nist.gov/forensics](http://www.nist.gov/forensics)

Presentations at this year's AAFS meeting

1. **Jurisprudence Section:** Thursday, February 19, 10:30 – 10:50 a.m.: **F9** – The National Commission on Forensic Science: Status Update by Nelson Santos, Justice Department, and **John Butler**, NIST Special Programs Office
2. **Jurisprudence Section:** Thursday, February 19, 11:30 a.m. – Noon: **F12** – Got Forensic Science Standards? — How the Organization of Scientific Area Committees Activities COULD Impact the Courtroom by **Mark Stolorow**, NIST Special Programs Office
3. **Multi-disciplinary Session:** Friday, February 20, 1:00 – 1:20 p.m.: **E67** – Organization of Scientific Area Committees Forensic Science Standards Activities: Helping Each Other and Stimulating the Future by **John Paul Jones II**, NIST Special Programs Office